

Application No. 10/634,264
Reply to Interview Summary of May 31, 2005

Docket No. P06652US0

REMARKS/ARGUMENTS

Claims 1-5 and 10-23 are pending in the present application. Claims 1-5 and 10-16 have been allowed. Claims 17, 21, and 22 have been rejected. Claims 1, 13, 17, and 20 have been amended. Claim 21 has been canceled. The amendment is fully supported by the original disclosure. No new matter has been introduced. Reconsideration and allowance of claims 1-5 and 10-23 in view of the following remarks is respectfully requested.

Amendments to claims 13 and 20 as well as cancellation of claim 21:

In a telephone call from the Examiner on June 6, 2005, the Examiner proposed changing the dependency of claim 13 from claim 10 to "claim 12", change the dependency of claim 20 from claim 17 to "claim 19", and cancel the subject matter of claim 21.

In response, Applicant has adopted the Examiner's recommendation and has changed the dependency of claims 13 and 20 as this appears to provide more proper antecedent basis for these claims. Additionally, Applicant concurs with the Examiner that the subject matter of claim 21 appears to be redundant in view of prior amendments to independent claim 17.

Amendment to claims 1 and 17 to correct a typographical omission:

Claims 1 and 17 have been amended to insert an omitted semicolon.

The rejection of claims 17, 21, and 22 under 35 U.S.C. § 102:

The Examiner has rejected claims 17, 21, and 22 under 35

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U.S.C. § 102(b) as being anticipated by Silvey (U.S. Pat. No. 248,805).

In a telephone conference with the Examiner on May 24, 2005, Applicant proposed amending claim 17 as attached to amend "horizontal portion" to read "horizontal flat planar portion". Applicant argued that unlike the present invention, Silvey does not have a "flexible arcuate stabilizing member" having ends with a "horizontal flat planar portion formed to engage the top surface of the wire rack". The Examiner was persuaded by this argument, and agreed to enter the attached claim language to place claim 17 in condition for allowance.


CONCLUSION

In view of the above amendments and remarks, Applicant respectfully requests allowance of claims 1-5 and 10-23.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,



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